



IN THE UNITED STATES PATENT TRADEMARK OFFICE

In re application of: Phillip Hollins

Serial number: 10/763,998

5 Filed: January 22, 2004

Title: Shade Device

Attorney docket number: 203015.001 Hollins

Art unit: 3635

10 Examiner: Robert J Canfield

**Assistant Commissioner for Patents**

**Washington, D.C. 20231**

15 In response to a Notice of Non-Compliant Amendment dated June 2, 2005, the applicant submits the following the following revised Preliminary Amendment with a complete listing of the claims ever presented in the application.

**PRELIMINARY AMENDMENT**

20 The applicant respectfully requests the claims 47-50 to be added to the application before examination on the merits.

1. (Previously presented) A shade device comprising:

(A) a shaft;

25 (B) a covering attached to the shaft, the covering being configured to be positioned above a user, the covering defining a top surface, the top surface being configured to shield the user from sun;

(C) a built-in power source;

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- (D) an audiovisual media, the audiovisual media being connectable to the power source, wherein the user may obtain entertainment from the audiovisual media;
- (E) a source of liquid;
- (F) at least one sprayer connected to the liquid source, the liquid from the liquid source being configured to be sprayed by the sprayer, wherein the liquid is configured to cool the temperature surrounding the user; and
- (G) a container comprising a plurality of interconnected walls, the plurality of interconnected walls defining an interior space, the interconnected walls configured to be substantially surrounded by the liquid from the liquid source, the temperature of the liquid being configured to influence the temperature inside the container, wherein the user may store food or beverage within the interior space defined by the interconnected walls of the container.

2. (Previously presented) The shade device of claim 1, further comprising a sprayer actuator connected to the power source, wherein the user may control the amount of liquid sprayed by the sprayer by controlling the sprayer actuator.

3. (Previously presented) The shade device of claim 2, further comprising a remote control, the remote control being in communication with the actuator, wherein the actuator may be controlled by the user using the remote control.

4. (Previously presented) The shade device of claim 2, further comprising a timer, the timer being configured to be programmed to control the operation of the actuator.

5. (Previously presented) The shade device of claim 1, wherein the audiovisual media comprises a digital video disc player.

6. (Previously presented) The shade device of claim 1, wherein the audiovisual media comprises a video game controller.

7. (Previously presented) The shade device of claim 1, further comprising a liquid pumping means for pumping liquid from the liquid source to the sprayer.
8. (Previously presented) The shade device of claim 7, wherein the power source provides power to the liquid pumping means.
- 5 9. (Previously presented) The shade device of claim 1, wherein the power source comprises at least one solar cell and at least one rechargeable storage battery, the solar cell being configured to recharge the battery.
10. (Previously presented) The shade device of claim 1, wherein the base comprises an outer wall and an inner wall, the inner wall defining a hollow base interior, the shade further  
10 comprising:
  - (A) at least one fan positioned within the inner wall of the base; and
  - (B) at least one vent to allow air generated by the fan to be expelled from the base.

11. (Previously presented) A shade device comprising:

(A) a shaft;

(B) a covering attached to the shaft, the covering being configured to be positioned above a user, the covering defining a top surface, the top surface being configured to shield the user from sun;

(C) a built-in power source; and

(D) an audiovisual media attached to the shaft or the covering, the audiovisual media being connectable to the power source, the audiovisual media being positioned under the top surface of the covering, wherein the user may obtain entertainment from the audiovisual media.

12. (Previously presented) The shade device of claim 11, wherein the audiovisual media comprises a digital video disc player.

13. (Previously presented) The shade device of claim 11, wherein the audiovisual media comprises a video game controller.

14. (Previously presented) The shade device of claim 11, further comprising a remote control for the audiovisual media.

15. (Previously presented) The shade device of claim 11, further comprising a headphone.

16. (Previously presented) The shade device of claim 11, wherein the power source comprises at least one solar cell and at least one rechargeable storage battery, the solar cell being configured to recharge the battery.

17. (Previously presented) A shade device comprising:

(A) a shaft;

(B) a covering attached to the shaft, the covering being configured to be positioned above a user, the covering defining a top surface, the top surface being configured to shield the user from sun;

(C) a built-in reservoir, the reservoir being configured to hold coolant;

(D) a conduit positioned within the reservoir;

(E) at least one sprayer connected to the conduit, the sprayer being configured to spray the coolant passing through the conduit from the reservoir, the coolant being configured to cool the temperature surrounding the user; and

(F) a container in thermal communication with the coolant from the reservoir, the temperature of the coolant being configured to influence the temperature inside the container, wherein the user may store food or beverage inside the container.

18. (Previously presented) The shade device of claim 17, further comprising a built-in power source and a coolant pump connected to the built-in power source, wherein the power source provides power to the coolant pump thereby allowing the coolant to be delivered to the sprayer.

19. (Previously presented) The shade device of claim 18, wherein the built-in power source comprises at least one solar cell and at least one rechargeable storage battery, the solar cell being configured to recharge the battery.

20. (Previously presented) The shade device of claim 17, further comprising a sprayer actuator connected to the power source, wherein the user may control the amount of liquid sprayed by the sprayer by controlling the sprayer actuator.

21. (Previously presented) The shade device of claim 20, further comprising a remote control, the remote control being in communication with the actuator, wherein the actuator may be controlled by the user using the remote control.
22. (Previously presented) The shade device of claim 20, further comprising a timer, the  
5 timer being configured to be programmed to control the operation of the actuator.
23. (Previously presented) The shade device of claim 17, wherein the base comprises an outer wall and an inner wall, the inner wall defining a substantially hollow base interior, the shade further comprising:
  - (A) at least one fan positioned within the base interior; and
  - 10 (B) at least one vent to allow air generated by the fan to be expelled from the base.
24. (Previously presented) The shade device of claim 23, wherein the fan and the conduit are positioned substantially proximate to each other to allow the fan to blow air on the conduit thereby causing the temperature of the expelled air to be influenced by the temperature of the conduit.

25. (Previously presented) A shade device comprising:

(A) a shaft;

(B) a covering attached to the shaft, the covering being configured to be positioned

above a user, the covering defining a top surface, the top surface being configured  
to shield the user from sun;

(C) a built-in reservoir, the reservoir being configured to hold coolant;

(D) a conduit positioned within the reservoir;

(E) at least one sprayer connected to the conduit, the sprayer being configured to

spray the coolant passing through the conduit from the reservoir, the coolant  
being configured to cool the temperature surrounding the user;

(F) a built-in power source;

(G) a coolant pump connected to the built-in power source, wherein the power source  
provides power to the coolant pump thereby allowing the coolant to be delivered

to the sprayer; and

(H) a sprayer actuator connected to built-in the power source, wherein the amount of  
liquid sprayed by the sprayer may be controlled by controlling the actuator.

26. (Previously presented) The shade device of claim 25, wherein the built-in power source  
comprises at least one solar cell and at least one rechargeable storage battery, the solar  
cell being configured to recharge the battery.

27. (Previously presented) The shade device of claim 25, further comprising a remote  
control, the remote control being in communication with the actuator, wherein the  
actuator may be controlled by the user using the remote control.

28. (Previously presented) The shade device of claim 25, further comprising a timer connected to the actuator, the timer being configured to be programmed to control the operation of the actuator.

29. (Previously presented) The shade device of claim 25, wherein the base comprises an outer wall and an inner wall, the inner wall defining a substantially hollow base interior, the shade further comprising:

(A) at least one fan positioned within the base interior; and

(B) at least one vent to allow air generated by the fan to be expelled from the base.

30. (Previously presented) The shade device of claim 29, wherein the fan and the conduit are positioned substantially proximate to each other to allow the fan to blow air on the conduit thereby causing the temperature of the expelled air to be influenced by the temperature of the conduit.



31. (Previously presented) A shade device comprising:

(A) a means for shielding a user from sun;

(B) a built-in storage means for holding coolant;

(C) a conduit positioned within the storage means;

5 (D) a sprayer means for spraying the coolant to the user, the sprayer means being connected to the conduit; and

(E) a cooler means for cooling food or beverage, the cooler means comprising a plurality of interconnected walls, the interconnected walls defining an interior space where food or beverage may be stored, the cooler means being in thermal  
10 communication with the coolant from the storage means, wherein the coolant serves to cool the temperature surrounding the user and the temperature of the food or beverage positioned inside the cooler means.

32. (Previously presented) The shade device of claim 31, further comprising a means for obtaining audiovisual entertainment.

15 33. (Previously presented) The shade device of claim 31, further comprising a control means for controlling the amount of coolant being sprayed by the sprayer means.

34. (Previously presented) A shade device comprising:

(A) a means for shielding a user from sun;

(B) an audiovisual media; and

(C) a power means for powering the audiovisual media, the power means being a part

5 of the shade device, wherein the user may obtain entertainment from the  
audiovisual media.

35. (Previously presented) The shade device of claim 34, wherein the audiovisual media  
comprises a digital video disc player.

10 36. (Previously presented) The shade device of claim 34, wherein the audiovisual media  
comprises a video game controller.

37. (Previously presented) The shade device of claim 34, wherein the audiovisual media  
comprises a computer.

38. (Previously presented) The shade device of claim 34, wherein the audiovisual media  
comprises a television.

15 39. (Previously presented) The shade device of claim 34, further comprising a remote control  
for the audiovisual media.

40. (Previously presented) The shade device of claim 34, further comprising a headphone.

20 41. (Previously presented) The shade device of claim 34, wherein the power source  
comprises at least one solar cell and at least one rechargeable storage battery, the solar  
cell being configured to recharge the battery.

42. (Previously presented) The shade device of claim 34, wherein the power source  
comprises a fuel cell.

43. (Previously presented) The shade device of claim 25, wherein the built-in power source  
comprises a fuel cell.

44. (Previously presented) The shade device of claim 18, wherein the power source comprises a fuel cell.
45. (Previously presented) The shade device of claim 11, wherein the built-in power source comprises a fuel cell.
- 5 46. (Previously presented) The shade device of claim 1, wherein the built-in power source comprises a fuel cell.
47. (Added) A shade device comprising:
- (A) a covering, the covering being configured to provide an amount of shade to a user;
- 10 (B) a shaft, the shaft being configured to support the covering;
- (C) a covering adjustment mechanism connected in between the covering and the shaft, the covering adjustment mechanism being configured to allow the covering to be moved to a plurality of positions;
- (D) a controller in communication with the covering adjustment mechanism, the
- 15 controller being configured to be operated by the user to cause a change in the position of the covering thereby providing the user the ability to control the amount of shade being provided by the covering.
48. (Added) The shade device of claim 47, wherein the controller is detached from the shade device.
- 20 49. (Added) The shade device of claim 47, wherein the covering adjustment mechanism comprises a motor and a swivel, the motor being in communication with the controller and the swivel, the motor being configured to move the swivel, the swivel being connected to the covering, wherein the user may adjust the position of the covering by using the controller to operate the motor and move the swivel.

50. (Added) The shade device of claim 47, wherein the shaft defines a vertical axis, the shade device further comprising a swivel connected in between the shaft and the covering, the swivel being configured to move the covering at a plurality of angles from the vertical axis, the swivel being controllable by the controller, wherein the user may operate the controller to control the swivel and adjust the position of the covering.

**COMPLETE LISTING TO THE CLAIMS EVER PRESENTED IN THE APPLICATION**

1. A shade device comprising:

(A) a shaft;

(B) a covering attached to the shaft, the covering being configured to be positioned

above a user, the covering defining a top surface, the top surface being configured  
to shield the user from sun;

(C) a built-in power source;

(D) an audiovisual media, the audiovisual media being connectable to the power  
source, wherein the user may obtain entertainment from the audiovisual media;

(E) a source of liquid;

(F) at least one sprayer connected to the liquid source, the liquid from the liquid  
source being configured to be sprayed by the sprayer, wherein the liquid is  
configured to cool the temperature surrounding the user; and

(G) a container comprising a plurality of interconnected walls, the plurality of

interconnected walls defining an interior space, the interconnected walls  
configured to be substantially surrounded by the liquid from the liquid source, the  
temperature of the liquid being configured to influence the temperature inside the  
container, wherein the user may store food or beverage within the interior space  
defined by the interconnected walls of the container.

2. The shade device of claim 1, further comprising a sprayer actuator connected to the  
power source, wherein the user may control the amount of liquid sprayed by the sprayer  
by controlling the sprayer actuator.

3. The shade device of claim 2, further comprising a remote control, the remote control being in communication with the actuator, wherein the actuator may be controlled by the user using the remote control.
4. The shade device of claim 2, further comprising a timer, the timer being configured to be  
5 programmed to control the operation of the actuator.
5. The shade device of claim 1, wherein the audiovisual media comprises a digital video disc player.
6. The shade device of claim 1, wherein the audiovisual media comprises a video game controller.
- 10 7. The shade device of claim 1, further comprising a liquid pumping means for pumping liquid from the liquid source to the sprayer.
8. The shade device of claim 7, wherein the power source provides power to the liquid pumping means.
9. The shade device of claim 1, wherein the power source comprises at least one solar cell  
15 and at least one rechargeable storage battery, the solar cell being configured to recharge the battery.
10. The shade device of claim 1, wherein the base comprises an outer wall and an inner wall, the inner wall defining a hollow base interior, the shade further comprising:
  - (A) at least one fan positioned within the inner wall of the base; and
  - 20 (B) at least one vent to allow air generated by the fan to be expelled from the base.

11. A shade device comprising:

- (A) a shaft;
- (B) a covering attached to the shaft, the covering being configured to be positioned  
5 above a user, the covering defining a top surface, the top surface being configured  
to shield the user from sun;
- (C) a built-in power source; and
- (D) an audiovisual media attached to the shaft or the covering, the audiovisual media  
being connectable to the power source, the audiovisual media being positioned  
under the top surface of the covering, wherein the user may obtain entertainment  
10 from the audiovisual media.

12. The shade device of claim 11, wherein the audiovisual media comprises a digital video  
disc player.

13. The shade device of claim 11, wherein the audiovisual media comprises a video game  
controller.

15 14. The shade device of claim 11, further comprising a remote control for the audiovisual  
media.

15. The shade device of claim 11, further comprising a headphone.

16. The shade device of claim 11, wherein the power source comprises at least one solar cell  
and at least one rechargeable storage battery, the solar cell being configured to recharge  
20 the battery.

17. A shade device comprising:

- (A) a shaft;
- (B) a covering attached to the shaft, the covering being configured to be positioned above a user, the covering defining a top surface, the top surface being configured to shield the user from sun;
- (C) a built-in reservoir, the reservoir being configured to hold coolant;
- (D) a conduit positioned within the reservoir;
- (E) at least one sprayer connected to the conduit, the sprayer being configured to spray the coolant passing through the conduit from the reservoir, the coolant being configured to cool the temperature surrounding the user; and
- (F) a container in thermal communication with the coolant from the reservoir, the temperature of the coolant being configured to influence the temperature inside the container, wherein the user may store food or beverage inside the container.

18. The shade device of claim 17, further comprising a built-in power source and a coolant pump connected to the built-in power source, wherein the power source provides power to the coolant pump thereby allowing the coolant to be delivered to the sprayer.

19. The shade device of claim 18, wherein the built-in power source comprises at least one solar cell and at least one rechargeable storage battery, the solar cell being configured to recharge the battery.

20. The shade device of claim 17, further comprising a sprayer actuator connected to the power source, wherein the user may control the amount of liquid sprayed by the sprayer by controlling the sprayer actuator.



21. The shade device of claim 20, further comprising a remote control, the remote control being in communication with the actuator, wherein the actuator may be controlled by the user using the remote control.
22. The shade device of claim 20, further comprising a timer, the timer being configured to be programmed to control the operation of the actuator.
23. The shade device of claim 17, wherein the base comprises an outer wall and an inner wall, the inner wall defining a substantially hollow base interior, the shade further comprising:
  - (A) at least one fan positioned within the base interior; and
  - (B) at least one vent to allow air generated by the fan to be expelled from the base.
24. The shade device of claim 23, wherein the fan and the conduit are positioned substantially proximate to each other to allow the fan to blow air on the conduit thereby causing the temperature of the expelled air to be influenced by the temperature of the conduit.

25. A shade device comprising:

(A) a shaft;

(B) a covering attached to the shaft, the covering being configured to be positioned

5 above a user, the covering defining a top surface, the top surface being configured to shield the user from sun;

(C) a built-in reservoir, the reservoir being configured to hold coolant;

(D) a conduit positioned within the reservoir;

(E) at least one sprayer connected to the conduit, the sprayer being configured to

10 spray the coolant passing through the conduit from the reservoir, the coolant being configured to cool the temperature surrounding the user;

(F) a built-in power source;

(G) a coolant pump connected to the built-in power source, wherein the power source provides power to the coolant pump thereby allowing the coolant to be delivered

15 to the sprayer; and

(H) a sprayer actuator connected to built-in the power source, wherein the amount of liquid sprayed by the sprayer may be controlled by controlling the actuator.

26. The shade device of claim 25, wherein the built-in power source comprises at least one solar cell and at least one rechargeable storage battery, the solar cell being configured to  
20 recharge the battery.

27. The shade device of claim 25, further comprising a remote control, the remote control being in communication with the actuator, wherein the actuator may be controlled by the user using the remote control.

28. The shade device of claim 25, further comprising a timer connected to the actuator, the timer being configured to be programmed to control the operation of the actuator.

29. The shade device of claim 25, wherein the base comprises an outer wall and an inner wall, the inner wall defining a substantially hollow base interior, the shade further comprising:

(A) at least one fan positioned within the base interior; and

(B) at least one vent to allow air generated by the fan to be expelled from the base.

30. The shade device of claim 29, wherein the fan and the conduit are positioned substantially proximate to each other to allow the fan to blow air on the conduit thereby causing the temperature of the expelled air to be influenced by the temperature of the conduit.

31. A shade device comprising:

(A) a means for shielding a user from sun;

(B) a built-in storage means for holding coolant;

(C) a conduit positioned within the storage means;

5 (D) a sprayer means for spraying the coolant to the user, the sprayer means being connected to the conduit; and

(E) a cooler means for cooling food or beverage, the cooler means comprising a plurality of interconnected walls, the interconnected walls defining an interior space where food or beverage may be stored, the cooler means being in thermal  
10 communication with the coolant from the storage means, wherein the coolant serves to cool the temperature surrounding the user and the temperature of the food or beverage positioned inside the cooler means.

32. The shade device of claim 31, further comprising a means for obtaining audiovisual entertainment.

15 33. The shade device of claim 31, further comprising a control means for controlling the amount of coolant being sprayed by the sprayer means.

34. A shade device comprising:
- (A) a means for shielding a user from sun;
  - (B) an audiovisual media; and
  - (C) a power means for powering the audiovisual media, the power means being a part
- 5 of the shade device, wherein the user may obtain entertainment from the audiovisual media.
35. The shade device of claim 34, wherein the audiovisual media comprises a digital video disc player.
36. The shade device of claim 34, wherein the audiovisual media comprises a video game
- 10 controller.
37. The shade device of claim 34, wherein the audiovisual media comprises a computer.
38. The shade device of claim 34, wherein the audiovisual media comprises a television.
39. The shade device of claim 34, further comprising a remote control for the audiovisual media.
- 15 40. The shade device of claim 34, further comprising a headphone.
41. The shade device of claim 34, wherein the power source comprises at least one solar cell and at least one rechargeable storage battery, the solar cell being configured to recharge the battery.
42. The shade device of claim 34, wherein the power source comprises a fuel cell.
- 20 43. The shade device of claim 25, wherein the built-in power source comprises a fuel cell.
44. The shade device of claim 18, wherein the power source comprises a fuel cell.
45. The shade device of claim 11, wherein the built-in power source comprises a fuel cell.
46. The shade device of claim 1, wherein the built-in power source comprises a fuel cell.

47. A shade device comprising:

(A) a covering, the covering being configured to provide an amount of shade to a user;

(B) a shaft, the shaft being configured to support the covering;

5 (C) a covering adjustment mechanism connected in between the covering and the shaft, the covering adjustment mechanism being configured to allow the covering to be moved to a plurality of positions;

(D) a controller in communication with the covering adjustment mechanism, the controller being configured to be operated by the user to cause a change in the  
10 position of the covering thereby providing the user the ability to control the amount of shade being provided by the covering.

48. The shade device of claim 47, wherein the controller is detached from the shade device.

49. The shade device of claim 47, wherein the covering adjustment mechanism comprises a motor and a swivel, the motor being in communication with the controller and the swivel,  
15 the motor being configured to move the swivel, the swivel being connected to the covering, wherein the user may adjust the position of the covering by using the controller to operate the motor and move the swivel.

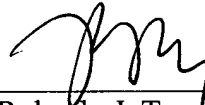
50. The shade device of claim 47, wherein the shaft defines a vertical axis, the shade device further comprising a swivel connected in between the shaft and the covering, the swivel  
20 being configured to move the covering at a plurality of angles from the vertical axis, the swivel being controllable by the controller, wherein the user may operate the controller to control the swivel and adjust the position of the covering.

Two months extension of time is requested, and the appropriate fees are included herewith. If the examiner has any questions regarding the application or this preliminary amendment, the examiner is encouraged to call the applicant's attorney, Rolando J. Tong, at (818) 710-2757.

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Respectfully submitted,

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